THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.11806 of 2007

Dated:11.06.2007

Between:

Pitani Seetha Ratnam.

…Petitioner

and

The Mandal Revenue Officer (Tahasildar) and others.

…Respondents

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WRIT PETITION No.11806 of 2007

ORDER:

The petitioner is the wife of Late P.Manikyam, who was an Ex-Serviceman, as alleged. During his lifetime, he was assigned Ac.1.56 cents of wet land in Survey Nos.310 and 311 situated at Manchili Village of Attili Mandal in West Godavari District in 1953. The same was cultivated during his lifetime, and after his death, the petitioner succeeded to his property and is in possession. It is alleged that the first respondent has an eye on the land of the petitioner for the purpose of assignment of house site pattas. It is also alleged that without due process of law and without issuing any notice, the first respondent is trying to acquire the land for giving it to others as house sites. Therefore, the present Writ Petition is filed.

After hearing the learned Counsel for the petitioner and the learned Assistant Government Pleader for Revenue (General-A), this Court is convinced that the Writ Petition is filed on a mere apprehension. There cannot be any doubt that even if the land assigned to landless poor persons or Ex-servicemen has to be resumed for the purpose of house sites or for any other public purpose, such assignees are entitled to a notice, and ultimately, after hearing the objections if it is decided to take the land for public purpose, such assignees are entitled to compensation under the Land Acquisition Act, 1894. The petitioner cannot be dispossessed without due process of law, and there cannot be a doubt on this. As the Writ Petition is filed on an apprehension, this Court is not inclined to accept the Writ

Petition. The observations made hereinabove would dispel any apprehension in the mind of the petitioner.

The Writ Petition, with the above observations, is accordingly dismissed. No costs.

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(V.V.S.RAO, J)

11.06.2007
vs